



PATENT
Docket No. 300622005500

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**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION**

AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **DESIGN OF POLYKETIDE SYNTHASE GENES**, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on 29 May 2001 as United States Application Serial No. 09/867,845, and was amended on _____ (if applicable).

WE HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

| Application No. | Country | Date of Filing (day/month/year) | Priority Claimed? |
|-----------------|---------|------------------------------------|----------------------------------------------------------|
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| Application Serial No. | Filing Date |
|------------------------|----------------|
| 60/237,382 | 4 October 2000 |
| 60/207,331 | 30 May 2000 |

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of



35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| Application Serial No. | Filing Date | Status |
|------------------------|-------------|-------------------------------------------------------------------------------------------------------|
| | | <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned |

We hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Lisa A. Amii (Reg No. 48,199)
Mehran Arjomand (Reg No. 48,231)
Sanjay S. Bagade (Reg No. 42,280)
Shantanu Basu (Reg No. 43,318)
Vincent J. Belusko (Reg No. 30,820)
Kimberly A. Bolin (Reg No. 44,546)
Tyler S. Brown (Reg No. 36,465)
A. Randall Camacho (Reg No. 46,595)
Robert K. Cerpa (Reg No. 39,933)
Alex Chartove (Reg No. 31,942)
Thomas E. Ciotti (Reg No. 21,013)
Matthew M. D'Amore (Reg No. 42,457)
Peter Davis (Reg No. 36,119)
Stephen C. Durant (Reg No. 31,506)
David L. Fehrman (Reg No. 28,600)
Thomas George (Reg No. 45,740)
Kenneth R. Glick (Reg No. 28,612)
Johny U. Han (Reg No. 45,565)
Alan S. Hodes (Reg No. 38,185)
Kelvan P. Howard (Reg No. P48,999)
Jill A. Jacobson (Reg No. 40,030)
Madeline I. Johnston (Reg No. 36,174)
Ararat Kapouytian (Reg No. 40,044)
Cameron A. King (Reg No. 41,897)
Kawai Lau (Reg No. 44,461)
Rimas T. Lukas (Reg No. 46,451)
Gladys H. Monroy (Reg No. 32,430)
Kate H. Murashige (Reg No. 29,959)
Mabel Ng (Reg No. P48,922)
Catherine M. Polizzi (Reg No. 40,130)
Robert E. Scheid (Reg. No. 42,126)
Terri Shieh-Newton (Reg No. 47,081)
Kevin R. Spivak (Reg No. 43,148)
Thomas L. Treffert (Reg No. P48,279)
Michael R. Ward (Reg No. 38,651)
Todd W. Wight (Reg No. 45,218)
David T. Yang (Reg No. 44,415)
George C. Yu (Reg No. 44,418)
Kevin R. Kaster (Reg No. 32,704)

Randolph Ted Apple (Reg No. 36,429)
Laurie A. Axford (Reg No. 35,053)
Erwin J. Basinski (Reg No. 34,773)
Richard R. Batt (Reg No. 43,485)
Jonathan Bockman (Reg No. 45,640)
Barry E. Bretschneider (Reg No. 28,055)
Nicholas Buffinger (Reg No. 39,124)
Mark R. Carter (Reg No. 39,131)
Peng Chen (Reg No. 43,543)
Thomas Chuang (Reg No. 44,616)
Cara M. Coburn (Reg No. 46,631)
Raj S. Davé (Reg No. 42,465)
Karen B. Dow (Reg No. 29,684)
Carolyn A. Favorito (Reg No. 39,183)
Hector Gallegos (Reg No. 40,614)
Debra J. Glaister (Reg No. 33,888)
Bruce D. Grant (Reg No. 47,608)
Douglas G. Hodder (Reg No. 41,840)
Charles D. Holland (Reg No. 35,196)
Peter Hsieh (Reg No. 44,780)
Wayne Jaeschke, Jr. (Reg No. 38,503)
Parisa Jorjani (Reg No. 46,813)
Richard C. Kim (Reg No. 40,046)
Lawrence B. Kong (Reg No. P49,043)
Glenn Kubota (Reg No. 44,197)
Michael J. Mauriel (Reg No. 44,226)
Philip A. Morin (Reg No. P-45,926)
Paul S. Naik (Reg No. P49,075)
Martin M. Noonan (Reg No. 44,264)
Phillip Reilly (Reg No. 41,415)
Debra A. Shetka (Reg No. 33,309)
Rebecca Shortle (Reg No. 47,083)
Stanley H. Thompson (Reg No. 45,160)
Brenda J. Wallach (Reg No. 45,193)
E. Thomas Wheelock (Reg No. 28,825)
Frank Wu (Reg No. 41,386)
Peter J. Yim (Reg No. 44,417)
Karen R. Zachow (Reg No. 46,332)

and

Please direct all communications to:

Carolyn A. Favorito
Morrison & Foerster LLP
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-1888

Please direct all telephone calls to Carolyn A. Favorito at (858) 720-5195.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

12.3.01
Date
Name: Chaitan Khosla
Residence: Palo Alto, CA 94306
Citizenship: India
Post Office Address: 740 La Lara Avenue, Palo Alto, California 94306

12.3.01
Date
Name: Ralph C. Reid
Residence: San Rafael, CA 94903
Citizenship: United States of America
Post Office Address: 600 Galerita Way, San Rafael, California 94903

11-14-01
Date
Name: Daniel V. Santi
Residence: San Francisco, CA 94117
Citizenship: United States of America
Post Office Address: 211 Belgrave Avenue, San Francisco, California 94117

11-12-01
Date
Name: Michael A. Siani
Residence: San Francisco, CA 94131
Citizenship: United States of America
Post Office Address: 341 Day Street, San Francisco, California 94131